

Message Text

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ACTION NEA-10

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FM AMEMBASSY ALGIERS
TO SECSTATE WASHDC PRIORITY 6739

C O N F I D E N T I A L SECTION 1 OF 2 ALGIERS 1645

E.O. 11652: GDS
TAGS: SHUM, AG
SUBJECT: HUMAN RIGHTS COUNTRY EVALUATION PLAN FOR ALGERIA:
EMBASSY COMMENTS ON NEA/AFN DRAFT

REF: STATE 147622

1. WE AGREE WITH THRUST OF REFTEL, PARTICULARLY FINAL
PARAGRAPH. DRAFT EVALUATION PLAN, IN OUR VIEW, CORRECTLY
PORTRAYS ALGERIA AS COUNTRY WHOSE OVERALL HUMAN RIGHTS
RECORD IS REASONABLY GOOD, AND WE BELIEVE IT MIGHT BE
WELL, IF APPROPRIATE, TO STATE THIS AT OUTSET
OF PAPER ALONG LINES OF FOLLOWING PARAGRAPH.

2. ALTHOUGH ACCESS TO INFORMATION ON THE SUBJECT IS
NOT EASY, HUMAN RIGHTS CONDITIONS IN ALGERIA
APPEAR TO BE REASONABLY GOOD. AS THE FOLLOWING REPORT
NOTES, BASIC HUMAN RIGHTS ARE VIOLATED IN ALGERIA FROM TIME
TO TIME, AND DESPITE THE PROFESSIONS OF THE ALGERIAN
CONSTITUTION, POLITICAL LIBERTIES, AS KNOWN IN A MINORITY OF
OTHER COUNTRIES OF THE WORLD, ARE RESTRICTED HERE.
NEVERTHELESS, LARGE SCALE VIOLATIONS OF HUMAN RIGHTS
HAVE A WAY OF FINDING THEIR WAY INTO THE PUBLIC RE-
CORD EVEN WHEN EFFORTS AT CONCEALMENT ARE EXTENSIVE.
THERE IS NO SUCH RECORD OF VIOLATIONS IN ALGERIA.

3. WE ALSO BELIEVE SOME MODIFICATIONS IN TEXT OF
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DRAFT PLAN IN ORDER AND SUBMIT FOLLOWING REWRITES OF
SEVERAL PARAGRAPHS:

4. (REWRITE OF 1.A. IN REFTEL)A. THERE ARE FEW KNOWN
CASES OF TORTURE IN ALGERIA SINCE INDEPENDENCE. DURING
THE WAR FOR INDEPENDENCE AGAINST FRANCE, TORTURE AND OTHER
INHUMANE MEASURES WERE USED EXTENSIVELY BY THE FRENCH,

AND ALSO BY THE ALGERIAN NATIONALISTS, LEAVING A STRONG AVERSION FOR SUCH PRACTICES AMONG THE ALGERIAN LEADERSHIP AND POPULATION. NEVERTHELESS, THERE IS EVIDENCE THAT, FROM TIME TO TIME, THE POLICE RESORT TO ROUGH INTERROGATION METHODS IN PREPARING CASES FOR TRIAL. THUS, SEVERAL NON-ALGERIAN BUSINESSMEN TRIED FOR ECONOMIC ESPIONAGE IN 1976 TESTIFIED IN COURT THAT THEIR CONFESSIONS HAD BEEN EXTRACTED FROM THEM BY FORCE. THERE IS NO EVIDENCE THAT SUCH METHODS ARE IN GENERAL USE.

5. (REWRITE OF 1.B.)B. PRISON CONDITIONS IN ALGERIA ARE SOMBER, AND THERE ARE INSTANCES IN WHICH PRISON DISCIPLINE IS HARSH. THUS, TWO NON-ALGERIAN PRISONERS WHO ATTEMPTED A JAIL BREAK IN APRIL 1977 WERE CONFINED TO "TIGER CAGES" FOR AN UNDETERMINED PERIOD FOLLOWING THEIR RECAPTURE. ALSO, ON ONE OR TWO OCCASIONS DURING THEIR THREE-YEAR SOJOURN IN AN ALGERIAN JAIL, SEVERAL AMERICAN DRUG OFFENDERS WERE BEATEN BY PRISON GUARDS FOR MINOR INFRACTIONS OF THE RULES. IN GENERAL, HOWEVER, PRISON AUTHORITIES SEEM TO MAINTAIN AN MINIMUM STANDARD OF DECORUM.

6. (ADDITION AT END OF 1.C.) ALSO, ONE YOUNG AMERICAN WOMAN REPORTED BEING PICKED UP BY THE POLICE, QUESTIONED OVER A PERIOD OF 40 HOURS
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AND RELEASED WITH NO CHARGES PROFERRED.

7. (ADDITION AT END OF 1.D) ALSO, FORMER PRESIDENT AHMED BEN BELLA HAS BEEN HELD IN CLOSE HOUSE ARREST SINCE HIS OUSTER FROM POWER IN JUNE 1965.

8. (REWRITE OF 1.E) E. THE 1976 CONSTITUTION GUARANTEES THE INVIOABILITY OF THE CITIZEN'S HOME. APART FROM THE ARREST AT HOME OF THE FOUR PROMINENT PERSONS MENTIONED IN 1.C ABOVE, THERE IS NO KNOWN EXAMPLE OF FAILURE TO RESPECT THIS GUARANTEE.

9. (REWRITE OF 2.A.) A. THERE IS NO OUTWARD RESTRICTION ON FREEDOM OF THOUGHT, RELIGION, AND ASSEMBLY, AND THE REGIME'S RESPECT FOR THE RIGHTS OF THE COUNTRY'S CHRISTIAN AND JEWISH MINORITIES HAS BEEN NOTEWORTHY. ON SEVERAL OCCASIONS IN THE PAST TWO YEARS, PRESIDENT BOUMEDIENE IS REPORTED TO HAVE INTERVENED PERSONALLY TO REDRESS WRONGS DONE TO BOTH THESE GROUPS. AT THE SAME TIME, ALL OF THE PRINTED AND ELECTRONIC MEDIA ARE OFFICIALLY CONTROLLED OR MONITORED BY THE GOVERNMENT.

LIMITED POLITICAL OPPOSITION, IN FORMS SUCHAS
STUDENT DEMONSTRATIONS, IS TOLERATED, AND OPPOSITION
POLITICAL TRACTS CIRCULATE HERE, ALMOST CERTAINLY
WITH THE KNOWLEDGE OF THE GOVERNMENT. BEYOND THIS,
HOWEVER, IT IS WELL UNDERSTOOD THAT ANY ATTEMPT TO OR-
GANIZE ACTIVITIES IN OPPOSITION TO THE GOVERNMENT...,
(REST OF PARAGRAPH AS IN REFTEL).

10. (REWRITE FIRST SENTENCE OF 2.B) B. THERE ARE NO OUTWARD
RESTRICTIONS
ON FREEDOM OF MOVEMENT WITHIN THE XOUNTRY FOR
ALGERIANS OR FOREIGNERS OTHER THAN DIPLOMATS (DIPLO-
MATS ARE REQUIRED TO OBTAIN PERMISSION FROM THE FOR-
EIGN MINISTRY TO TRAVEL MORE THAN 45 KILOMETERS BEYOND
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FM AMEMBASSY ALGIERS

TO SECSTATE WASHDC PRIORITY 6740

C O N F I D E N T I A L SECTION 2 OF 2 ALGIERS 1645

11. (SENTENCE TO BE ADDED AT END OF 3.A.) FINALLY,
ALTHOUGH A HOUSING "CRISIS" WILL BE A FACT OF LIFE
HERE FOR SOME TIME, THE GIVERNMENT IS
COMMITTING EXTENSIVE RESOURCES TO A LARGE-SCALE
PROGRAM OF HOUSING CONSTRUCTION THROUGHOUT THE COUNTRY.

12. (REWRITE OF 3.B.) B. CORRUPTION, ALTHOUGH IT EXISTS,
IS NOT A MAJOR FACTOR IN ALGERIA. THERE IS A GAP IN
LIVING STANDARDS BETWEEN THE NEW CLASS OF EDUCATED
TECHNICRATS WHO BENEFIT FROM THE PERQUISITES WHICH

ACCOMPANY HIGH LEVEL POSITIONS IN GOVERNMENT MINISTRIES
AND STATE COMPANIES AND THE ORDINARY CITIZEN OF AVERAGE
MEANS. HOWEVER, THE DISPARITY BETWEEN THE
LIVING STANDARD OF THIS NEW "ELITE" AND THAT OF THE AVERAGE
CITIZEN IS NOT OF THE SAME ORDER OF MAGNITUDE AS IN
OTHER COUNTRIES OF THE REGION, AND THE GOVERNMENT'S
COMMITMENT TO RAISING THE QUALITY OF
LIFE OF THE LOWER STRATA OF THE SOCIETY
APPEARS UNSWERVING.

13. THIS CONCLUDES OUR SUGGESTIONS FOR MODIFICATION OF
DRAFT EVALUATION.

14. WE HAVE FINAL OBSERVATION ON ONE ASPECT OF HUMAN RIGHTS
QUESTION WHICH GREATLY INTERESTS ALGERIANS - NAMELY ISSUE OF
SELF-DETERMINATION. AS WE CONTINUE TO EMPHASIZE HUMAN RIGHTS
CONCERNS IN OUR FOREIGN POLICY, WE ARE LIKELY TO BE QUES-
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TIONED MORE AND MORE SHARPLY BY ALGERIANS AS TO OUR STAND
ON SELF-DETERMINATION GENERALLY AND IN SAHARA IN PARTICULAR.
WE WILL NEED TO BE THINKING OF WAYS TO ANSWER THIS CONCERN.HAYNES

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